

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
NEWNAN DIVISION**

KEVIN RUSSELL,

Plaintiff,

v.

**HAROLD KEMP,
ACTION RESOURCES, INC., and
SEDGWICK CLAIMS
MANAGEMENT SERVICES, INC.**

Defendants.

CIVIL ACTION FILE NO.

**CARROLL STATE COURT
CIVIL ACTION FILE NO.
STSV2021000629**

**DEFENDANT ACTION RESOURCES INC.'S NOTICE OF REMOVAL
TO UNITED STATES DISTRICT COURT**

TO: The Honorable Judges of the United States District Court for the Northern District of Georgia, Newnan Division:

COMES NOW, Action Resources, Inc. (hereinafter “Defendant”), and files the following Notice of Removal to United States District Court, showing the Court as follows:

1. This civil action was filed on or about August 3, 2021 in the State Court of Carroll County, State of Georgia. That action is designated there as Civil Action File

No.: STSV2021000629. Defendant has not been served. This notice of removal is timely filed.

2. Defendant files herewith a copy of all process, pleadings, and orders received by Defendant in Civil Action File No.: STSV2021000629, pursuant to 28 USC §1446.

3. Defendant Harold Kemp, is now, was at the commencement of Civil Action File No.: STSV2021000629, and at all times since has been a citizen of and has resided in the state of Alabama. (Compl. ¶ 2). Mr. Kemp has not been properly served.

4. Defendant Action Resources, Inc. was incorporated in the State of Alabama, and had its principal office at the time of filing of Civil Action File No.: STSV2021000629, and at all times since has been located in Alabama. (Compl. ¶ 3).

5. Defendant Sedgwick Claims Management Services, is an improper party, but was at the commencement of Civil Action File No.: STSV2021000629, and at all times since has been an entity organized and existing under the laws of and with its principal place of business in the State of Tennessee.

6. Upon information and belief, Plaintiff is an individual residing in the State of Georgia. (Compl. ¶ 1).

7. The action described above is a civil action with a claim of which this Court has original jurisdiction, and it is one that may be removed to this Court by the Defendant pursuant to the provisions of 28 USC §§ 1332 and 1441 et seq., in that there is complete diversity among the Parties, the Parties are not residents of the same State, and Plaintiff has alleged an amount in excess of \$75,000.00, therefore the amount in controversy exceeds \$75,000.00 exclusive of interest and costs.

8. Defendants attach hereto a copy of the Summons and Complaint in State Court of Carroll County, State of Georgia, marked as Exhibit “A”.

9. Defendants attach hereto a copy of Defendants' Notice of Removal which has been sent for filing in the State Court of Carroll County, State of Georgia, marked as Exhibit “B”.

11. All served Defendants agree to this removal.

WHEREFORE the Defendant prays that the above action now pending against them in the State Court of Carroll County, State of Georgia, be removed to this Court.

Respectfully submitted this 15th day of September, 2021.

HALL BOOTH SMITH, P.C.

/s/ Sean Cox

SEAN B. COX

Georgia State Bar No. 664108

PAUL E. PETERSEN

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DEFENDANT DEMANDS

TRIAL BY JURY

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CERTIFICATE OF SERVICE

I hereby certify that on this day I have served a copy of the within and foregoing **DEFENDANT ACTION RESOURCES INC.'S NOTICE OF REMOVAL TO UNITED STATES DISTRICT COURT** upon all parties to this matter by depositing same in the U.S. Mail, proper postage prepaid, addressed to counsel of record and/or filing said document electronically which will automatically send electronic notification to the following:

Charles Brant
Colom & Brant Law
191 Peachtree Street NE Suite 3270
Atlanta, GA 30303
cbrant@colomandbrantlaw.com

Respectfully submitted this 15th day of September, 2021.

HALL BOOTH SMITH, P.C.

/s/ Sean Cox

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